

About these Standards

These standards focus on the individuals' legal and human rights, which pertain to every citizen. Often, service providers also adopt statements that address the individuals' human rights as service consumers (a.k.a., individuals accessing service).

An integral aspect of all statements of rights is the right of citizens to be treated with dignity and respect and to show these qualities to others. For individuals accessing service, their rights within all of the service areas will include

- having privacy and confidentiality
- making lifestyle choices
- making decisions on all levels
- giving informed consent
 - around **overall outcomes**
 - to allow restrictions on their rights
- having their cultural rights upheld (e.g., Aboriginal rights)
- being protected from backgrounds that may make them more vulnerable and in need of specific provisions and protection

Staff need to know how to

- uphold the individuals' dignity and respect
- ensure that others do not violate their rights
- address incidents where individuals are not treated with dignity and respect

Service providers need to ensure individuals are made aware of

- their rights
- the need to balance their rights with individual responsibility
- the potential impact of their behaviour on the people around them
- why they should exercise their rights in a way that is not insensitive or harmful to others
- how to follow **due process** should they feel that the service provider is denying, limiting or restricting their rights

The unregulated restriction of rights may constitute **abuse**.

What is the Difference?

consent

- Agreement to an action based on knowledge of what the action involves and its likely consequences

informed consent

- Consent given by individuals after they have been provided with a full explanation of the proposed action requiring consent
- Informed consent must meet specific criteria
- Appendix *Glossary*: informed consent

informed choice

- In health care, refers to patients making decisions based on an understanding of the required medical treatments and their consequences, and the consequences of not taking such medical treatments
- Also called informed consent or informed medical consent

overall outcomes

- Outcomes that are written into the individuals' service plans

due process

- A set of actions that are put in motion to safeguard the rights of individuals before restricting their choices or actions
- Will comply with the expectations in
 - Standards 31-33
 - Appendix *Positive and Restrictive Procedures*

abuse

- An act or omission that
 - causes serious bodily or emotional harm
 - subjects an individual to non-consensual sexual contact, activity or behaviour
 - involves misappropriation of funds or other valuable possessions

See Appendix

- *Ethical Principles of the Alberta Council of Disability Services*
- *Rights of Individuals Accessing Service*
- *Glossary*: abuse

Individuals also need to be included in decisions around **personal directives, advance care planning** and end of life planning.

Although this type of planning is the guardians' responsibility, it is important for staff to understand the plans, including their roles within the plans (e.g., changes to individuals' health and medical needs).

As well, staff need to ensure that they understand the dignity of risk involved when individuals choose certain actions in their care plans (e.g., choosing to die at home vs. in a facility).

CET Accreditation Level 2 is available for organizations that want to strive for a higher level of excellence. For these standards, Level 2 looks for formal, individual-driven self-advocacy strategies.

personal directive

- A legal document that people can use to authorize another person to make personal, non-financial decisions on their behalf should they become incapable of doing so for themselves

advance care planning

- The development and expression of wishes for the goals of medical treatment, and the continuation or discontinuation of such treatment and care

See

- Alberta Office of the Public Guardian and Student Legal Services of Edmonton
- Standards 12 & 24
- Appendix
 - *Personal Control: Transition Planning*
 - *Advance Care Planning*
- Appendix: *Glossary*:
 - personal directive
 - advance care planning

Standard 4: *Individuals exercise their rights and responsibilities*

Quality of Life Level 1 Indicators

1. The individual is aware of her
 - a. human rights
 - b. legal rights
 - c. cultural rights
 - d. rights as an individual accessing service
2. The individual's lifestyle choices and traditional and cultural practices are honoured
3. The individual has personal and private space and others respect her need for privacy and confidentiality
4. The individual knows how to or receives support to speak out and/or advocate for dignified and respectful treatment from others
5. The individual respects the rights of others and is aware of the impact of her actions on others
6. The individual makes decisions about and has given informed consent for her service planning as it relates to her overall outcome
7. Restrictions on the individual's rights have occurred with her full involvement, knowledge and informed consent
8. The individual has access to information around
 - a. personal directives
 - b. advance care planning
 - c. end of life care

Standard 16: *Individuals' rights are upheld*

Quality of Service Level 1 Indicators

1. Staff are aware of and support the individual's
 - a. human rights
 - b. legal rights
 - c. cultural rights
 - d. rights as an individual accessing service
2. Staff honour and support the individual's lifestyle choices and traditional and cultural practices
3. Staff
 - a. support the individual to keep her space personal and private
 - b. respect the individual's right to privacy and confidentiality
4. Staff support the individual when a need requires speaking out and/or advocating for dignified and respectful treatment from others
5. Staff support the individual to respect the rights of others and to understand the impact of her actions on others
6. Staff
 - a. support the individual to make decisions about her service planning as it relates to her overall outcome
 - b. ensure the individual gives informed consent
7. Staff use the service provider's practices for involving the individual in decisions about restricting her rights
8. Staff are aware of and support the individual's decisions around personal directives, end of life care and advance care planning